

EXHIBIT D

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

VCIS CAPITAL MASTER FUND, a Cayman
Islands Trust, Plaintiff,

SUMMONS IN A CIVIL ACTION

V.

IN TOUCH MEDIA GROUP, INC., a Florida
Corporation, Defendant.

CASE NUMBER: 08-CIV-1084

TO: (Name and address of Defendant)

IN TOUCH MEDIA GROUP, INC.
C/O SECRETARY OF STATE
P.O. Box 6327
Tallahassee, Florida 32314

*S. 19/10/08 240m
hycmc 75 #101*

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Rudolph V. Pino, Jr. (RP 0023)
Thomas E. Healy (TH4340)
PINO & ASSOCIATES, LLP
Westchester Financial Center
50 Main Street, 7th Floor
White Plains, New York 10606

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. M. McNamee

CLERK

APR 09 2009

DATE

[Signature]
(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	
NAME OF SERVER (<i>PRINT</i>)	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<div style="margin-bottom: 10px;"><input type="checkbox"/> Served personally upon the defendant. Place where served:</div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: </div> <div style="margin-bottom: 10px;"><input type="checkbox"/> Returned unexecuted:</div> <div><input type="checkbox"/> Other (specify):</div>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> Executed on _____ Date </div> <div style="width: 60%;"> _____ <i>Signature of Server</i> </div> </div> <div style="text-align: center; margin-top: 20px;"> _____ <i>Address of Server</i> </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

RETURN OF SERVICE

**UNITED STATES DISTRICT COURT
Southern District of New York**

Index Number: 08 CIV 1084

Date Filed: 4/9/2008

Plaintiff:

VCIS CAPITAL MASTER FUND, A CAYMAN ISLANDS TRUST

vs.

Defendant:

IN TOUCH MEDIA GROUP, INC., A FLORIDA CORPORATION

For:

Thomas Healy

Pino & Associates, LLP

50 Main St.

Westchester Financial Center

White Plains, NY 10606

Received by Process Service of America, Inc. on the 10th day of April, 2008 at 10:26 am to be served on **IN TOUCH MEDIA GROUP, INC. C/O SECRETARY OF STATE, 2661 EXECUTIVE CENTER CIRCLE WEST, TALLAHASSEE, FL 32314.**

I, Christopher M. Compton, do hereby affirm that on the **10th day of April, 2008 at 2:40 pm, I:**

SECRETARY OF STATE: by delivering a true copy of the **Summons in a Civil Action, Complaint and Demand for Jury Trial and Exhibit "A"** with the date and hour of service endorsed thereon by me, to: **YVETTE MCGHEE** of the State of Florida, as the designated agent to accept service of process for and on behalf of the within name defendant: **IN TOUCH MEDIA GROUP, INC. C/O SECRETARY OF STATE C/O FLORIDA SECRETARY OF STATE PER F.S. 48.161** and at the same time delivering into the hand of said Secretary of State in his above mentioned official capacity the sum of \$8.75 as provided by FS 48.161.

I certify that I am over the age of 18, have no interest in the above action, and am a Certified Process Server, in good standing, in the Second Judicial Circuit in which the process was served. Under penalty of perjury I declare I have read the foregoing documents and that the facts stated in it are true. Notary not required pursuant to FL Statute 92.525 Sec (2).



Christopher M. Compton
Process Server # 101

Process Service of America, Inc.
P.O. Box 5848
Tallahassee, FL 32314-5848
(850) 877-9809

Our Job Serial Number: 2008007567

EXHIBIT E

Call
2580

PINO & ASSOCIATES, LLP

ATTORNEYS AT LAW

Westchester Financial Center
50 Main Street
White Plains, New York 10606
Telephone (914) 946-0600
Facsimile (914) 946-0650
www.pinolaw.com

OF COUNSEL

John R. Altieri**
Hackensack, New Jersey

Rudolph V. Pino, Jr.
Thomas E. Healy*
Frank C. Randazzo
Richard T. Petrillo
John M. Socolow
Brian W. Colistra
Matthew D. Kennedy
Lori F. Graybow
Marc A. Rousseau*
Brian P. Mitchell**

Also Admitted to CT Bar *
Also Admitted to NJ Bar **

April 21, 2008

VIA CERTIFIED MAIL R. R. R.

In Touch Media Group, Inc.
205 South Myrtle Avenue
Clearwater, Florida 33756

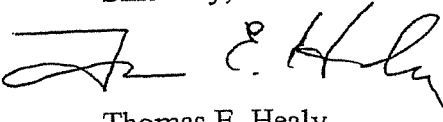
Re: Vicis Capital Master Fund v. In Touch Media Group, Inc.
Civil Action No.: 08-CIV-1084
P & A Ref. No.: RVP/TEH/8600.2580

Dear Sir or Madam:


We represent Plaintiff, Vicis Capital Master Fund, in connection with the above proceeding. Enclosed are copies of the Plaintiff's Civil Cover Sheet, Summons In A Civil Action, Complaint, and Rule 7.1 Statement. In addition, a copy of correspondence dated April 15, 2008 from the Florida Department of State, Division of Corporations, which indicates that service of process has been accepted on behalf of In Touch Media Group, Inc. and duly filed pursuant to the applicable Florida Statutes is enclosed. If In Touch Media Group, Inc. fails to respond to this Complaint, we will be forced to move for a default judgment against In Touch Media Group, Inc.

Should you have any questions or concerns, please do not hesitate to contact our office.

Sincerely,


Thomas E. Healy

TEH:dg
Encl.



cc: Daniel M. Janssen, Esq. (w/encl.)



FLORIDA DEPARTMENT OF STATE
Division of Corporations

April 15, 2008

RUDOLPH V. PINO, JR., ESQ.
WESTCHESTER FINANCIAL CENTER
50 MAIN STREET, 7TH FLOOR
WHITE PLAINS, NY 10606

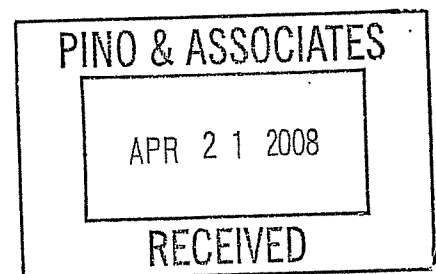
Pursuant to Florida Statutes, a copy of the process documents was accepted for IN TOUCH MEDIA GROUP, INC., and was filed on April 10, 2008, at 04:00 PM.

THE SECRETARY OF STATE DOES NOT FORWARD DOCUMENTATION TO THE DEFENDANT.

Only questions concerning the actual filing of the process documents should be directed to our office at (850) 245-6953. All other inquiries should be made to the attorneys involved.

Yvette McGee
Processor of Service
DIVISION OF CORPORATIONS

Letter No. 908A00022341



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Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Sent To *In Touch Media Group*
 Street, Apt. No.,
 or PO Box No. *205 South Myrtle Ave*
 City, State, ZIP+4 *Clearwater Florida 33756*

PS Form 3800, June 2002 See Reverse for Instructions

7005 1160 0003 6146 5373

Vicis v. In Touch Corp 8000. 2580

SENDER: COMPLETE THIS SECTION <input checked="" type="checkbox"/> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. <input checked="" type="checkbox"/> Print your name and address on the reverse so that we can return the card to you. <input checked="" type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits. 1. Article Addressed to: <i>In Touch Media Group</i> <i>205 South Myrtle Ave.</i> <i>Clearwater, Florida</i> <i>33756</i>	COMPLETE THIS SECTION ON DELIVERY A. Signature <input checked="" type="checkbox"/> <i>E. Fullmann</i> <input type="checkbox"/> Agent <input type="checkbox"/> Address B. Received by (Printed Name) <i>Emanuel Fullmann</i> C. Date of Delivery <i>4/3/08</i> D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No 3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes
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2. Article Number
 (Transfer from service label) *7005 1160 0003 6146 5373*

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1

8600.2580

PINO & ASSOCIATES, LLP

ATTORNEYS AT LAW

Westchester Financial Center
50 Main Street
White Plains, New York 10606
Telephone (914) 946-0600
Facsimile (914) 946-0650
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OF COUNSEL

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Matthew D. Kennedy
Lori F. Graybow
Marc A. Rousseau*
Brian P. Mitchell**

Also Admitted to CT Bar *
Also Admitted to NJ Bar **

April 21, 2008

VIA CERTIFIED MAIL R. R. R.

Michael T. Cronin, Esq.
911 Chestnut Street
Clearwater, Florida 33756

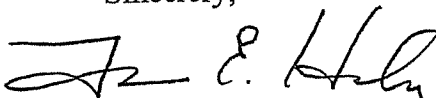
Re: Vicis Capital Master Fund v. In Touch Media Group, Inc.
Civil Action No.: 08-CIV-1084
P & A Ref. No.: RVP/TEH/8600.2580

Dear Mr. Cronin:

We represent Plaintiff, Vicis Capital Master Fund, in connection with the above proceeding. Enclosed are copies of the Plaintiff's Civil Cover Sheet, Summons In A Civil Action, Complaint, and Rule 7.1 Statement. In addition, a copy of correspondence dated April 15, 2008 from the Florida Department of State, Division of Corporations, which indicates that service of process has been accepted on behalf of In Touch Media Group, Inc. and duly filed pursuant to the applicable Florida Statutes is enclosed. If In Touch Media Group, Inc. fails to respond to this Complaint, we will be forced to move for a default judgment against In Touch Media Group, Inc.

Should you have any questions or concerns, please do not hesitate to contact our office.

Sincerely,



Thomas E. Healy

TEH:dg
Encl.

cc: Daniel M. Janssen, Esq. (w/encl.)



FLORIDA DEPARTMENT OF STATE
Division of Corporations

April 15, 2008

RUDOLPH V. PINO, JR., ESQ.
WESTCHESTER FINANCIAL CENTER
50 MAIN STREET, 7TH FLOOR
WHITE PLAINS, NY 10606

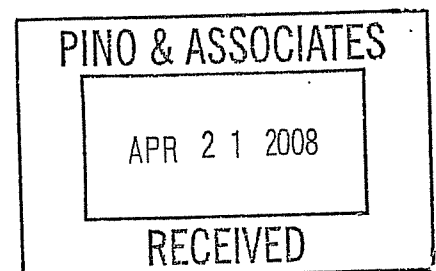
Pursuant to Florida Statutes, a copy of the process documents was accepted for IN TOUCH MEDIA GROUP, INC., and was filed on April 10, 2008, at 04:00 PM.

THE SECRETARY OF STATE DOES NOT FORWARD DOCUMENTATION TO THE DEFENDANT.

Only questions concerning the actual filing of the process documents should be directed to our office at (850) 245-6953. All other inquiries should be made to the attorneys involved.

Yvette McGee
Processor of Service
DIVISION OF CORPORATIONS

Letter No. 908A00022341



0985 9479 0000 0977 5002

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Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	
Sent To: <i>Michael Cronin Esq</i> Street, Apt. No. or PO Box No.: <i>911 Chestnut Street</i> City, State ZIP+4: <i>Clearwater FL 33756</i> PS Form 3800, June 2002 See Reverse for Instructions		

Vicinity 8600.2580

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<input checked="" type="checkbox"/> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. <input checked="" type="checkbox"/> Print your name and address on the reverse so that we can return the card to you. <input checked="" type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits.		A. Signature <input checked="" type="checkbox"/> <i>Nancy Haley</i> <input type="checkbox"/> Agent <input type="checkbox"/> Address B. Received by (Printed Name) <i>N. HALEY</i> C. Date of Delivery <i>4/28</i> D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:	
1. Article Addressed to: <i>Michael T. Cronin Esq.</i> <i>911 Chestnut Street</i> <i>Clearwater, Florida</i> <i>33756</i>		3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (Transfer from service label) <i>7005 1160 0003 6146 5380</i>			

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1

EXHIBIT F

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X		
VICIS CAPITAL MASTER FUND, a	:	Civil Action No.: 08 CV 1084-DC
Cayman Islands Trust,	:	
	:	<u>DEFAULT JUDGMENT</u>
Plaintiff,	:	
	:	
- against -	:	
	:	
IN TOUCH MEDIA GROUP, INC., a	:	
Florida Corporation,	:	
	:	
Defendant.	:	
-----X		

CHIN, D.J.

This action having been commenced on February 1, 2008 by the filing of the Summons and Complaint and copies of the Summons and Complaint having been served on Defendant IN TOUCH MEDIA GROUP, INC., on February 19, 2008 and April 9, 2008 by way of their registered agent and the Florida Secretary Of State, and proofs of service having been filed on March 31, 2008 and April 25, 2008, and the Defendant not having answered the Complaint, and the time for answering the Complaint having expired, **IT IS HEREBY ORDERED AND ADJUDGED** as follows:

1. Plaintiff VICIS CAPITAL MASTER FUND's Motion for an Order granting Plaintiff VICIS CAPITAL MASTER FUND a Certificate Of Default Pursuant To Local Rule 55.1 and a Default Judgment Pursuant To Local Rule 55.2(b) against Defendant IN TOUCH MEDIA GROUP, INC. in the sum of \$1,211,750.00 as of November 30, 2007, as well as additional interest at the default rate of \$416.67 per day, its attorney fees and costs, and all other relief to which it may be entitled is granted; and

2. Default Judgment is hereby entered in favor of Plaintiff VICIS CAPITAL MASTER FUND and against Defendant IN TOUCH MEDIA GROUP, INC. in the amount of \$1,290,083.96 (\$1,211,750.00 plus \$78,333.96 for 188 days of interest at the default rate of \$416.67 per day); and
3. Defendant IN TOUCH MEDIA GROUP, INC. is further hereby ordered to pay to Plaintiff VICIS CAPITAL MASTER FUND all reasonable attorney fees and costs incurred by Plaintiff VICIS CAPITAL MASTER FUND with respect to this action.

SO ORDERED

Dated: New York, New York
June 6, 2008

DENNY CHIN
United States District Judge

This document was entered on the docket on
